Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 01-29-06	Bureau/Station/Facility: Men's Central Jail	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: ------	Date: 01-29-06 Time: 0106
City or Station: Long Beach	Nature of Incident: Deputy Involved Non - Hit Shooting, Off Duty
Location: [redacted] Harbor Avenue, Long Beach	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street** (circled), Other: ______

Lighting (*circle only one*): **Darkness** (circled), Daylight, Other, Street Lights

Weather (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

Distance: 5ft

Incident Type (*circle one or more*): Accidental, Armed Person, **Fleeing Suspect** (circled), Foot Pursuit, Gun Take Away, **Moving Vehicle** (circled), Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, Observation, One Person Unit, **Other** (circled), Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, **Other** (circled), Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
2	0	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
	None			EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name: [redacted]		First Name: [redacted]		M.I.
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: ------	Home Ph: [redacted]
Last Name: [redacted]		First Name: [redacted]		M.I.
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: ------	Home Ph: [redacted]
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
	N/A			On Duty, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	N/A		

Watch Commander

Employee #	Last Name	First Name	M.I.
	N/A		

PSTD Use Only
SH # 216379S

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: ------

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01-29-06	0230		

Employee #	Last Name	First Name	M.I
[redacted]	Morejon	Elier	
[redacted]	Jensen	Curtis	A.
[redacted]	Holloway	Diana	L.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OV	ZZ	--	-	-	NN	--
E#1	S#1	FH	BR	9	Y	Y	NN	--

Officer Involved Shooting
Involved Employee Information

URN: ------

Involved Employee

E 1

Employee # [redacted] | Last Name: Juarez | First Name: Jaime | M.I.: None

Sex: M | Race: H | Rank: Deputy | Unit Assignment: MCJ | Work Assignment (Unit #, Module, etc.): Off duty

ShiftTime (*circle only one*): EM (PM circled) Day | ShiftType (*circle only one*): (Regular circled) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☒

Hrs of sleep prior to shooting: 8 | Duty Time (hrs): Off Duty | Clothing (*circle only one*): (Plain Clothes no Vest circled) Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 507 | Weight: 140

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted]

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E__

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: ------

Suspect Information

S 1

Last Name: Fernandez	First Name: Arnold	M.I.
AKA Last Name	First Name	M.I.

Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted] [redacted]
Work Phone: ------	Home Phone: ------	Social Security #: [redacted]	Driver's License #:
Age: 25 D.O.B. 08-31-01980	Height: 893-501 Weight: 509 150	FBI #: [redacted]	CII #: [redacted]
Booking #	Primary Charge: 215PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make	Dodge	Model: 300	Year: 2005

S 2

Last Name: Jacinto	First Name: Daniel	M.I.
AKA Last Name	First Name	M.I.

Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted] [redacted]
Work Phone: ------	Home Phone: ------	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 25 D.O.B. 12-25-1980	Height: 508 Weight: 145	FBI #: ------	CII #: ------
Booking #: 8909102	Primary Charge: 215 PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make	N/A	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING
IAB SH - 2163795
LONG BEACH POLICE DEPARTMENT - 06-8111

On Sunday, January 29, 2006, at approximately 0104 hours, Sergeants Elier Morejon and Diana Holloway along with Lieutenant Curtis Jensen of the Internal Affairs Bureau responded to [redacted] Harbor Avenue, City of long Beach, regarding a Deputy Involved Non-Hit Shooting. Deputy Juarez had pulled his 2005 Chrysler 300 sedan into the driveway of [redacted] to drop his girlfriend off at the end of a date. He left the motor running and the driver's door open as he walked around the rear of the car and opened the passenger door for his girlfriend. The suspect, who had been drinking beer in the front yard of the property directly to the south of the driveway, suddenly ran to the car and got into the driver's seat.

Deputy Juarez ordered the suspect to exit his car, identified himself as an off-duty deputy sheriff, and pointed his handgun at the man when he refused to exit the car. At this time, another male who had been drinking with the suspect interjected himself into the confrontation and challenged Deputy Juarez. With Juarez' attention diverted, the suspect quickly backed out of the driveway and traveled northbound in reverse for several feet. Deputy Juarez ran into the street, shouting for the suspect to stop the car. The suspect accelerated forward, veering the car toward Juarez. Fearing for his safety, Juarez backed away as he simultaneously fired two rounds at the suspect. At least one round shattered the car's right front passenger window. The suspect sped south on Harbor Avenue past Juarez and out of view.

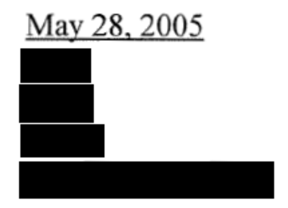
The summary of this incident is based on information obtained from written reports and interviews with Deputy Juarez and several witnesses. **Refer to Exhibit A - Refer to Long Beach Police Department Reports.**

<u>INVOLVED PERSONNEL:</u>

<u>JUAREZ,</u> Jaime, Deputy, #[redacted]
Mens Central Jail
Custody Division

<u>EMPLOYEE WORK HISTORY:</u>

<u>JUAREZ,</u> Jaime



Date of Employment:	<u>May 28, 2005</u>
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	[redacted]
Prior Shooting Incidents:	[redacted]
Prior Founded Force Incidents:	[redacted]

SUSPECTS:

FERNANDEZ, Arthur MH/08-31-1981

Suspect Fernandez' criminal history indicates [redacted] **Refer to Exhibit B - Fernandez' Booking Package and Criminal Record.**

JACINTO, Daniel MH/12-25-1980

Suspect Jacinto's criminal history indicates [redacted] **Refer to Exhibit C - Jacinto's Booking Package and Criminal Record.**

WITNESSES:

Sworn:
None

Civilian:

[redacted]

[redacted]

INJURIES:

None

PHYSICAL EVIDENCE:

Two expended shell casings from Deputy Juarez' weapon were recovered at the scene on Harbor Avenue. Shattered glass from Deputy Juarez' vehicle was also found south of the shooting location on Harbor Avenue. **Refer to Exhibit D - Crime Scene Diagrams with location of recovered evidence.**

INVESTIGATOR OBSERVATIONS:

The shooting location was a typical city street. Harbor Avenue is a residential two way Avenue running north and south. It is a two lane asphalt Avenue with a center yellow line. **Refer to Exhibit E - Photographs of scene.**

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Juarez fired two rounds from his weapon: **Beretta 9mm Luger Caliber, Model 92FS, double action semiautomatic pistol, Serial Number BER[redacted].**

The weapon were examined, test fired, and found to be functional by Firearms Examiner Manual Munoz. **Refer to Exhibit F - Firearms Examiner Report**

WEAPONS USED BY SUSPECTS:

Deputy Juarez' vehicle, 2005 Chrysler 300 Sedan, was used by Suspect Hernandez in an attempt to run him over. **Refer to Exhibit G - Photographs of Victim Juarez' vehicle.**

PROPERTY DAMAGE:

Deputy Juarez' 2005 Chrysler 300 Sedan sustained two bullet strikes from Deputy Juarez' handgun. The vehicle was later crashed by Suspect Hernandez, which caused moderate damage to the left side of the vehicle. The gate at [redacted] Harbor Avenue was also damaged by Suspect Hernandez as he rammed the vehicle into it. **Refer to Exhibit H - Photographs of damaged property.**

CRIMINAL INVESTIGATOR/CHARGES FILED:

On February 3, 2006, Detective [redacted] Long Beach Police Department, presented the case to the Long Beach Attorney's Office for filing considerations. District Attorney Marc Merrick reviewed the facts of this case and filed two felony counts of Car jacking, 215(a) PC, against Suspect Hernandez and rejected the case against Suspect Jacinto. **Refer to Exhibit I - Felony Complaint**

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during the night. The weather was cool and clear.

INVOLVED EMPLOYEE'S STATEMENTS:

DEPUTY JAIME JUAREZ

Deputy Juarez is currently assigned to Men's Central Jail and has been employed by the Sheriff's Department for less than a year. At the time of this incident, Deputy Juarez was off duty and was carrying his departmentally issued Beretta 92F semiautomatic pistol. Deputy Juarez said that just

prior to the incident he and his [redacted] Witness [redacted] had just finished seeing a movie and he was taking her to her residence at [redacted] in the City of Long Beach.

Deputy Juarez said that he arrived at his [redacted] house and pulled his car (2005 Chrysler 300 sedan) partially into the driveway. Deputy Juarez exited his car, leaving the engine running and the keys in the ignition, and walked over to the passenger's side. Deputy Juarez said that he was standing just outside of the passenger's door giving his [redacted] a hug when he saw a male Hispanic (later identified as Suspect Fernandez) enter his car and sit in the driver's seat. Deputy Juarez said that he did not see where Suspect Fernandez came from. Deputy Juarez said that Suspect Fernandez put the car in drive and rammed it against the closed metal gate leading into the driveway.

Deputy Juarez, fearing that Suspect Fernandez was about to steal his car, removed his pistol from his waistband, pointed it at Suspect Fernandez through the passenger side and identified himself as a Deputy Sheriff. Suspect Fernandez again rammed the gate and then placed the car in reverse. Deputy Juarez continually ordered Suspect Fernandez to stop without any success. At this time, a second male Hispanic, later identified as Suspect Jacinto, approached Deputy Juarez and challenged him. Deputy Juarez said that Suspect Jacinto approached him looking very upset, took off his shirt and yelled at him saying, "You're not a cop, shoot me if you are." Deputy Juarez said that his attention now shifted between both suspects. Deputy Juarez saw Suspect Fernandez exit his car and start walking towards him. Deputy Juarez said he ordered both suspects numerous times to back away and told them that he was an off duty Deputy Sheriff. Deputy Juarez said that he never showed them any identification because he was afraid to take his attention away from them.

Deputy Juarez said that suddenly two female Hispanics walked over to Suspect Jacinto and started trying to hold him back. As the females dealt with Suspect Jacinto, Deputy Juarez saw Suspect Fernandez re-enter his car and immediately start backing out of the driveway and onto northbound Harbor Avenue. Deputy Juarez said that Suspect Fernandez backed the vehicle all the way into the middle of the street. Deputy Juarez said that he stepped onto the street about 10-15 feet and again pointed his weapon at Suspect Fernandez and ordered him to stop. Deputy Juarez said that Suspect Fernandez put the car in drive and instead of driving directly south on Harbor Avenue, purposely swerved to the right and headed directly at him. Deputy Juarez said he back stepped quickly in order to remove himself from harm's way. Deputy Juarez said that he unable to move fast enough as the car drove towards him. Fearing that he was about to get run over with his own car, he fired two rounds from his pistol at Suspect Fernandez. Deputy Juarez estimated that the car was about two to three feet away from him when he shot. Deputy Juarez said his shots were directed towards the passenger side window and believes he hit the window as he saw it shatter.

Deputy Juarez said that Suspect Fernandez continued driving south on Harbor Avenue and out of view. Deputy Juarez said he immediately got on a cell phone and called Long Beach Police Department and told them what happened. Deputy Juarez said he did not see Suspect Jacinto anymore and was unsure of where he went. On the night of the incident Deputy Juarez wrote a memorandum containing his accounts of the events. **Refer to Exhibit J - Deputy Juarez' memorandum. Refer to Exhibit K - Sketch of scene by Deputy Juarez.**

IAB NOTE: Deputy Juarez was asked to explain the fact that in his memorandum he stated, "As the vehicle was facing southbound on Harbor Ave, I ran into the street, directly in front of the vehicle which was now stopped straddling the center lane." Deputy Juarez said that he really did not mean directly in front of the vehicle. He said that the car was facing towards him and he interpreted that as being directly in front of it.

IAB NOTE: Deputy Juarez was asked about his decision of moving onto the street and the possibility of placing himself in harm's way. Deputy Juarez said that he moved onto the street because he was unsure if Suspect Fernandez was going to continue northbound or put it in drive and go southbound. Deputy Juarez also said that at no time did he place himself directly in front of the vehicle. He said that once Suspect Fernandez put the car in drive if he would have driven directly south he would have completely missed him. Deputy Juarez said that only the deliberate action of Suspect Fernandez swerving towards him placed him in front of the vehicle causing him to use deadly force.

CIVILIAN WITNESSES

[redacted]

Witness [redacted] is Deputy Juarez' [redacted] Witness [redacted] said that Deputy Juarez and she arrived at her residence after watching a movie at the theaters. Witness [redacted] said that Deputy Juarez pulled his car into her driveway, left the engine running and walked around to her side (passenger side) and opened her door. Witness [redacted] said they were hugging each other and saying their good-byes when a male Hispanic (later identified as Suspect Fernandez) jumped into the driver's seat and rammed the closed gate leading into her driveway.

Witness [redacted] said she became very nervous and started yelling for her father who was inside of the residence. Witness [redacted] said that she saw Deputy Juarez pull out his gun from his holster and point it at Suspect Fernandez as he sat in the car. Deputy Juarez identified himself as a Deputy Sheriff as he gave Suspect Fernandez orders to get out of the car. Witness [redacted] said that she attempted to call 911 from her cell phone but the calls were not connecting. Witness [redacted] said she then saw a second male Hispanic (later identified as Suspect Jacinto) approach Deputy Juarez and yell at him to shoot him because he really wasn't a cop. Suspect Jacinto took off his shirt and challenged Deputy Juarez to shoot him. Several seconds later two females exited the residence to the south and approached Suspect Jacinto and took him away. Witness [redacted] said that Suspect Fernandez got out of the car and "stared her down" before he re-entered and drove backwards onto Harbor Avenue. Deputy Juarez stepped onto the street and continued to give Suspect Fernandez orders to stop. Witness [redacted] said that Suspect Fernandez then put the car in drive and drove towards, "swerved," at Deputy Juarez. Witness [redacted] said that she thought Deputy Juarez was going to get hit by the car because it came within five feet of him. Witness [redacted] said that as the car drove towards Deputy Juarez she saw him back up and shoot twice at the passenger window.

The car continued driving southbound Harbor Avenue and out of view.

> **IAB NOTE: Witness [redacted] said that as they pulled up to her driveway she saw the two suspects standing drinking beer on the front lawn of [redacted] a residence directly [redacted] of hers. [redacted] has seen both suspects at he location on prior occasions so she didn't think much of it at the time.**

[redacted]

Witness [redacted] said he was in his bedroom, at [redacted] when he heard a crashing sound. He said he looked through his window which is in the [redacted] story and saw two males arguing. Witness [redacted] put some clothe on and went downstairs. He said when he got downstairs he saw Deputy Juarez in the street holding a gun and pointing it southbound at a car that was driving away. Witness [redacted] said he then heard two gunshots coming from Deputy Juarez' weapon. He did not see or hear anything else regarding the incident.

SUSPECTS' STATEMENTS

FERNANDEZ, ARTHUR

Suspect Fernandez said he was, "talking to a "homie" over on Harbor when this guy (later identified as Deputy Juarez) drove up and got out of the driver's seat of his car". Suspect Fernandez said the driver left the engine of the car running and walked around to the passenger door to let a girl out. He said that Deputy Juarez and girl then began to get all "kissy kissy" while the doors were still open with the engine running.

Suspect Fernandez said he had been drinking and was a little high so he thought this would be an easy way for him to get home, since he didn't have a car. He said he jumped into the drivers seat and attempted to put the car in reverse. Suspect Fernandez was unsure how the transmission changed gears and he mistakenly put it into drive. This caused him to crash into a fence in front of [redacted] Harbor Avenue. He then saw Deputy Juarez pull a gun out of his waistband and heard him yell at him to get out of the car. He was still trying to get the car in reverse but each time he pressed on the gas the car lurched forward. Deputy Juarez was yelling at him telling him he was going to shoot him so he jumped out of the car via the passenger side. Suspect Fernandez said that when he got out of the car Deputy Juarez was pointed the gun at him and told him he was going to shoot him. Suspect Fernandez decided to jump back in the car and try one more time to get the car in reverse. He was able to get the car in reverse and began to back up. Suspect Fernandez saw Deputy Juarez at the passenger door and heard the girl that Deputy Juarez was with (Witness [redacted] yelling, "he's a cop." Suspect Fernandez said that when he started to back the car out of the driveway he heard gunfire. Suspect Fernandez wasn't sure how many shots were fired. Suspect Fernandez said he thought that Deputy Juarez ran into the street after him. Suspect Fernandez said he just put the car in drive and sped away. He didn't know if Juarez had fired any more shots after he began to drive away from the location.

JACINTO, DANIEL

Suspect Jacinto said he was in the area of his aunt's residence at [redacted] He said a black Jeep Cherokee pulled up alongside him. The Jeep was occupied by a lone male Hispanic (later identified as Suspect Fernandez). Suspect Fernandez asked Suspect Jacinto if he knew a girl he was looking for. Suspect Jacinto told him he knew the girl, but didn't think she was in the area. Suspect Fernandez drove away. A short time later, Suspect Fernandez came walking down the street and approached Suspect Jacinto. Suspect Fernandez told Suspect Jacinto that the police had just stopped him and towed his car. They began talking, drinking beer and hanging out.

A few minutes later, a black vehicle pulled into the driveway at [redacted] Harbor Avenue. A male Hispanic (Deputy Juarez) got out the driver's door and left the engine running. Deputy Juarez walked around to the passenger side of the car and opened the door for a female (Witness [redacted] Suspect Fernandez said, "maybe that's her." Suspect Jacinto said he believed that Suspect Fernandez thought the female getting out of the car was the girl he was looking for. Suspect Fernandez walked over to the driver's door of the vehicle and got into the drivers seat. Suspect Fernandez put the car in drive, drove forward and collided with a metal gate that crosses the driveway. Suspect Jacinto said that Deputy Juarez, who was on the passenger side of the vehicle, displayed a handgun and began to order Suspect Fernandez out of the vehicle. Suspect Jacinto said he heard Deputy Juarez say he was a police officer, or deputy. Suspect Jacinto said he walked out toward the street, and stood on the sidewalk. Suspect Jacinto said that Suspect Fernandez began to back the vehicle out of the driveway and out onto the street. Suspect Jacinto said that Deputy Juarez discharged his firearm at Suspect Fernandez two times as he backed out of the driveway. Suspect Jacinto said he became angry because he could have been shot.

Suspect Jacinto said that after Suspect Fernandez drove the car away, Deputy Juarez began pointing his gun at him (Jacinto). Suspect Jacinto said he became very angry because the gun was being pointed at him, and he did nothing wrong. He began to walk towards Deputy Juarez and was questioning him if he was really a police officer. Suspect Jacinto said his girlfriend came up from behind him and tried to stop him from approaching Deputy Juarez. Suspect Jacinto's girlfriend grabbed his shirt as he continued to walk towards Deputy Juarez which caused his shirt to be pulled off of him. Suspect Jacinto said he did not comply with Deputy Juarez' orders because he had been drinking and used some bad judgment. Suspect Jacinto denied having any knowledge that Suspect Fernandez was going to take Deputy Juarez' car.

MISCELLANEOUS

Deputy Juarez' vehicle was recovered about nine hours after the incident by Los Angeles Police Department, Hollenbeck Division. The vehicle was stored and held for prints. Firearms Examiner Donna Reynalds processed the vehicle and took pictures of the bullet strikes and trajectories. **Refer to Exhibit L - Photographs depicting bullet strikes and trajectories.** ``